

APPENDIX B

## Public Consultation

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**Public Notices**

**Notice of Preparation  
Environmental Impact Report/Environmental Impact Statement  
for the IID/San Diego County Water Authority  
Water Conservation and Transfer Project,  
Imperial Irrigation District, Imperial, California**

**To:  
State of California  
State Clearinghouse  
Office of Planning and Research  
1400 10<sup>th</sup> Street, Room 121  
Sacramento, CA 95814**

**From:  
Imperial Irrigation District  
333 East Barioni Blvd.  
P.O. Box 937  
Imperial, CA 92251**

**INTRODUCTION:**

Pursuant to section 102 (2) (c) of the National Environmental Policy Act (NEPA) and the State of California Environmental Quality Act (CEQA), the Bureau of Reclamation (Reclamation) and Imperial Irrigation District (IID or District) will prepare a joint Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) to assess the impacts of the proposed IID/San Diego County Water Authority (SDCWA) Water Conservation and Transfer Project. The proposed project consists of the conservation by IID of up to 300,000 acre-feet of Colorado River water per year (af/yr), and the subsequent transfer of all or a portion of the diverted water to the SDCWA and, under certain circumstances, other designees (See Map). IID and Reclamation are holding public scoping meetings soliciting input from the public on the types of issues and extent of analysis that should be contained in the EIR/EIS.

Reclamation will serve as the Federal lead agency for the preparation of the EIR/EIS under NEPA. IID is the Lead Agency for CEQA purposes. As required by Section 15082 of the CEQA Guidelines, IID is submitting this Notice of Preparation (NOP) to responsible agencies, trustee agencies, other key agencies, private organizations, and individuals. The draft EIR/EIS is expected to be completed by a target date of April 3, 2000. Availability of the draft EIR/EIS for public review and comment will be announced and noticed in the local media.

**DESCRIPTION OF THE PROPOSED PROJECT:**

IID was organized in 1911 to deliver Colorado River water to lands within the Imperial Valley, California for agricultural, domestic, industrial, and other beneficial uses. Water is delivered via the All American Canal and flows through the Colorado River at Imperial Dam based upon water rights obtained prior to the beginning of this century under state law, pursuant to a 1932 water delivery contract for permanent service, for potable and irrigation purposes within the boundaries of the District, with the Secretary of the Interior under the Boulder Canyon Project Act of 1928 [45 Stat. 1057, as amended, 43 U.S.C. 617 et seq.], and pursuant to appropriations applications filed with the state between 1933 and 1936. Water flows through the Imperial Valley in a complex system of delivery canals, laterals, and drains serving over 450,000 acres of some of the most intensively farmed land in the nation. Agricultural drainage water flows into the New and Alamo Rivers and into the Salton Sea, a designated reservoir for irrigation drainage.



disputes between IID and these agencies. The initial term of the project is 45 years after transfers first commence. Each party has the option to extend the term for an additional 30 years.

The Water Conservation and Transfer Project is the result of a collaboration between IID and SDCWA. The purpose and need for the proposed project is to advance objectives of both agencies, consistent with the Law of the River for the Colorado River, relating to water availability and management. IID has identified specific objectives for the proposed project. The District proposes to sell the conserved water in a market-based transaction in order to provide IID with sufficient funds to implement a water conservation program, including the cost of on-farm and system improvements, environmental mitigation costs, and other implementation costs. IID intends to implement a conservation program which includes participation of Imperial Valley landowners and tenants so that on-farm, in addition to system-based conservation methods, can be implemented efficiently. IID seeks to maintain its historic senior priority water rights in a manner consistent with state and federal law during project implementation and operation. Additional IID objectives include providing an economic stimulus to Imperial Valley's agricultural economy and the surrounding community and lessen increased demand for water for southern California from the State Water Project.

SDCWA has also identified specific project objectives. SDCWA seeks to acquire an independent, reliable alternate long-term water supply to provide drought protection and to accommodate current and projected demand for municipal, domestic, and agricultural water uses. In order to enhance the reliability of its water supply, SDCWA intends to diversify its sources of water supply and decrease its current dependence on a single source. Through the establishment of a stabilized source, SDCWA seeks to pay a fair, competitive price for its water supply and in the process lessen increased demand for water for southern California from the State Water Project.

A water transfer from IID to SDCWA is a key element of the "California Plan" which is being developed by the Colorado River Board of California and the California State Department of Water Resources, at the request of the Secretary of the Interior and the other Colorado River basin states. This Plan is intended to address the need for California reduce its reliance on Colorado River water to its legal entitlement of 4.4 million acre-feet of Colorado River water. California currently is diverting approximately 5.2 million acre-feet of Colorado River water per year.

Implementation of the proposed project will require certain state approvals, including approval by the State Water Resources Control Board and compliance with CEQA and the California Endangered Species Act. Implementation will also require certain federal approvals, including approval of the proposed transfer between IID and SDCWA, compliance with NEPA, the federal Endangered Species Act and other related federal environmental laws, statutes, Executive Orders, and regulations. Reclamation will act as the federal lead agency pursuant to NEPA because certain actions taken to facilitate the transfer will require approval by the Secretary of the Interior. Such actions could potentially include amendments to IID's contract with the Secretary, change in point of diversion of Colorado River water, change in type of use, change in place of use, verification or concurrence in the amount of water conserved by this Project, and verification of beneficial use of Colorado River water. Reclamation is therefore seeking comments from the public on the scope of issues and extent of analysis that should be evaluated in this EIR/EIS.

Additional information can be obtained from the project website at <http://www.is.ch2m.com/iidweb>.

## **ALTERNATIVES:**

The EIR/EIS will evaluate other feasible project alternatives, including a range of alternative conservation measures, water supply and transfer alternatives, and various alternative measures in addition to the No Project/No Action Alternative.

Potential water supply alternatives that will be considered in the EIR/EIS include the following:

- Additional water conservation in the San Diego service area
- Additional water repurification and recycling
- Desalination
- Additional water transfers from Northern California
- Transfer of water conserved in another agricultural region with conveyance through the State Water Project and Metropolitan Water District system

## **POTENTIAL ENVIRONMENTAL EFFECTS:**

The full range of environmental impacts has not been quantified temporally and spatially. Until specific conservation alternatives have been developed, potential environmental effects could include the following:

### Lower Colorado River Area

- Reduction in Colorado River water flows between Parker and Imperial Dams
- Impacts to Colorado River water quality
- Impacts to wildlife, protected species and their habitats
- Cumulative impacts to water quality

### San Diego County

- Growth-inducing impacts

### Salton Sea

- Effects on water levels, salinity, and water quality
- Effects on fisheries habitat
- Impacts to wildlife, protected species and their habitats
- Impacts to recreational uses

### Imperial Valley

- Impacts to water flow and quality
- Effects on selenium, boron, and pesticide concentrations
- Impacts to wildlife, protected species and their habitats
- Socio-economic impacts
- Air quality impacts

## **PUBLIC AGENCY AND SCOPING MEETINGS:**

Six public scoping meetings will be held to discuss the project and scope of the EIR/EIS. The purpose of these meetings is to identify issues that should be addressed in the EIR/EIS. The public meetings will be open to all interested members of the public, and both written and oral

comments will be accepted at the meetings. These scoping meetings will be held at the following locations and times:

- |    |                             |   |
|----|-----------------------------|---|
| 1) | Northern Imperial Valley    | Elks Lodge #1420<br>161 South Plaza<br>Brawley, CA 92227<br>Tuesday, October 12, 1999<br>7 PM to 9 PM                               |
| 2) | Salton Sea Area             | Salton Sea Community Service District<br>2098 Frontage Road<br>Salton City, CA 92275<br>Wednesday, October 13, 1999<br>7 PM to 9 PM |
| 3) | Southern Imperial Valley    | IID Board Room<br>1285 Broadway<br>El Centro, CA 92243<br>Thursday, October 14, 1999<br>7 PM to 9 PM                                |
| 4) | Lower Colorado River Region | Clark County Library<br>1401 East Flamingo Road<br>Las Vegas, NV 89119<br>Monday, October 18, 1999<br>7 PM to 9 PM                  |
| 5) | Northern San Diego County   | Carlsbad Senior Center<br>799 Pine Avenue<br>Carlsbad, CA 92008<br>Tuesday, October 19, 1999<br>7 PM to 9 PM                        |
| 6) | Southern San Diego County   | SDCWA Building<br>3211 Fifth Avenue<br>San Diego, CA 92103<br>Wednesday, October 20, 1999<br>7 PM to 9 PM                           |

Hearing impaired, visually impaired, and/or mobility impaired persons planning to attend the meeting(s) may arrange for necessary accommodations by calling Ms. Molly Sweat at (702) 293-8415 no later than September 27, 1999.

A public involvement program has been initiated and will be implemented throughout the EIR/EIS process. The goal is to keep the public and affected parties informed and actively involved in the environmental assessment of the project.

## **RESPONSES TO NOTICE:**

In responding to this NOP, responsible agencies and other agencies having jurisdiction over the project or natural resources that may be affected by the project are requested to provide specific detail as to the scope and content of the environmental information related to that agency's statutory responsibilities which should be included in the draft EIR/EIS. Responding agencies are also asked to provide any quantitative, qualitative, or performance standards applicable to project activities that will be subject to review and/or approval of the responding agency. This information will be used to assist in the development of thresholds of significance to be used to evaluate the significance of environmental effects and in the development of mitigation measures to address any significant impacts. Responding agencies should identify a contact person for their agency.

Responses to this notice must be received no later than October 25, 1999. Please send your written comments or questions to:

Mr. Steven R. Knell  
Special Projects Coordinator, Imperial Irrigation District  
333 E. Barioni Boulevard.  
P.O. Box 937  
Imperial, CA 92251  
(760) 339-9266



[Federal Register: September 27, 1999 (Volume 64, Number 186)]  
[Notices]  
[Page 52102-52104]  
From the Federal Register Online via GPO Access [wais.access.gpo.gov]  
[DOCID:fr27se99-77]

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DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

**Imperial Irrigation District**/San Diego County Water Authority  
Water Conservation and Transfer Project

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of Intent to prepare an Environmental Impact Report (EIR)/ Environmental Impact Statement (EIS) and notice of public scoping meetings on the **Imperial Irrigation District**/San Diego County Water Authority Water Conservation and Transfer Project.

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SUMMARY: Pursuant to section 102 (2) (c) of the National Environmental Policy Act (NEPA) and the State of California Environmental Quality Act (CEQA), the

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Bureau of Reclamation (Reclamation) and **Imperial Irrigation District** (IID or **District**) will prepare a joint EIR/EIS to assess the impacts of the proposed IID/San Diego County Water Authority (SDCWA) Water Conservation and Transfer Project. The proposed project consists of the conservation by IID of up to 300,000 acre-feet of Colorado River water per year (af/yr), and the subsequent transfer of all or a portion of the diverted water to the SDCWA and, under certain circumstances, other designees. IID and Reclamation are holding public scoping meetings soliciting input from the public on the types of issues and extent of analysis that should be contained in the EIR/EIS.

DATES: Written comments on the NOI will be accepted until October 25, 1999. Public scoping meetings will be held at the following locations (both written and oral comments will be accepted at the public scoping meetings):

1. Northern **Imperial** Valley--Elks Lodge #1420, 161 South Plaza, Brawley, CA 92227, Tuesday, October 12, 1999, 7 PM to 9 PM.
2. Salton Sea Area--Salton Sea Community Service **District**, 2098 Frontage Road, Salton City, CA 92275, Wednesday, October 13, 1999, 7 PM to 9 PM..
3. Southern **Imperial** Valley--IID Board Room, 1285 Broadway, El Centro, CA 92243, Thursday, October 14, 1999, 7 PM to 9 PM.
4. Lower Colorado River Region--Clark County Library, 1401 East Flamingo Road, Las Vegas, NV 89119, Monday, October 18, 1999, 7 PM to 9 PM.

SFO022830024

5. Northern San Diego County--Carlsbad Senior Center, 799 Pine Avenue, Carlsbad, CA 92008, Tuesday, October 19, 1999, 7 PM to 9 PM.

6. Southern San Diego County--SDCWA Building, 3211 Fifth Avenue, San Diego, CA 92103, Wednesday, October 20, 1999, 7 PM to 9 PM.

Hearing impaired, visually impaired, and/or mobility impaired persons planning to attend the meeting(s) may arrange for necessary accommodations by calling Ms. Molly Sweat at (702) 293-8415 no later than October 6, 1999.

ADDRESSES: Written comments should be sent to: Bureau of Reclamation, Lower Colorado River Region, Boulder Canyon Operations Office, P.O. Box 61470, Boulder City, NV 89006-1470, Attn: William Rinne, BC-00-1000; or to: **Imperial Irrigation District**, 333 East Barioni Boulevard, P.O. Box 937, **Imperial** CA, 92251, Attn: Steven R. Knell.

FOR FURTHER INFORMATION CONTACT: Mr. William Rinne, at the Bureau of Reclamation (702) 293-8414; or Mr. Steven Knell, Special Projects Coordinator, **Imperial Irrigation District**, at (760) 339-9266. Further information can also be obtained on the website at <http://www.is.ch2m.com/iidweb>.

SUPPLEMENTARY INFORMATION: IID was organized in 1911 to deliver Colorado River water to lands within the **Imperial** Valley, California for agricultural, domestic, industrial, and other beneficial uses. Water is diverted via the All American Canal and flows through the Colorado River at **Imperial** Dam based upon water rights obtained prior to the beginning of this century under state law, pursuant to a 1932 water delivery contract for permanent service, for potable and **irrigation** purposes within the boundaries of the **District**, with the Secretary of the Interior under the Boulder Canyon Project Act of 1928 [45 Stat. 1057, as amended, 43 U.S.C. 617 et seq.], and pursuant to appropriations applications filed with the state between 1933 and 1936. Water flows through the **Imperial** Valley in a complex system of delivery canals, laterals, and drains serving over 450,000 acres of some of the most intensively farmed land in the nation. Agricultural drainage water flows into the New and Alamo Rivers and into the Salton Sea, a designated reservoir for **irrigation** drainage.

IID seeks to develop a long-term program for the conservation of up to 300,000 af/yr. IID proposes to transfer all or a portion of the conserved water to SDCWA and, under certain circumstances, other designees for beneficial use and to meet current and projected water supply needs. The proposed conservation program would include the participation of **Imperial** Valley landowners and tenants in order to implement on-farm conservation methods, such as improved or alternative water management techniques and revised **irrigation** methods. The program may also include system-based conservation methods implemented by IID, which improve distribution and drainage facilities.

IID intends that the transferred water will retain IID's priority among Colorado River water users and that the transfer will not affect IID's historic water rights. IID, the Department of Interior, and other potentially affected water rights holders are engaged in quantification discussions regarding Colorado River water.

On April 29, 1998, IID and SDCWA executed an Agreement for Transfer of Conserved Water (Agreement). The Agreement provides parameters for the water conservation and transfer transaction. The Agreement calls for IID to conserve and transfer an annual amount of water (the

``primary'' transfer) not to exceed 20,000 af in the first year. The primary transfer would increase in quantity in subsequent years until a stabilized annual primary quantity is established by IID, which shall be not less than 130,000 af/yr or more than 200,000 af/yr. After at least 10 years of primary transfers, an additional discretionary component not to exceed 100,000 af/yr may be transferred to SDCWA or, at IID's option, to the Metropolitan Water **District** of Southern California or Coachella Valley Water **District** in connection with the settlement of water rights disputes between IID and these agencies. The initial term of the project is 45 years after transfers first commence. Each party has the option to extend the term for an additional 30 years.

The Water Conservation and Transfer Project is the result of a collaboration between IID and SDCWA. The purpose and need for the proposed project is to advance objectives of both agencies, consistent with the Law of the River for the Colorado River, relating to water availability and management. IID has identified specific objectives for the proposed project. The **District** proposes to sell the conserved water in a market-based transaction in order to provide IID with sufficient funds to implement a water conservation program, including the cost of on-farm and system improvements, environmental mitigation costs, and other implementation costs. IID intends to implement a conservation program which includes participation of **Imperial** Valley landowners and tenants so that on-farm, in addition to system-based conservation methods, can be implemented efficiently. IID seeks to maintain its historic senior priority water rights in a manner consistent with state and federal law during project implementation and operation. Additional IID objectives include providing an economic stimulus to **Imperial** Valley's agricultural economy and the surrounding community and lessen increased demand for water for southern California from the State Water Project.

SDCWA has also identified specific project objectives. SDCWA seeks to acquire an independent, reliable alternate long-term water supply to provide drought protection and to accommodate current and projected demand for municipal, domestic, and agricultural water uses. In order to enhance the reliability of its water supply, SDCWA intends to diversify its

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sources of water supply and decrease its current dependence on a single source. Through the establishment of a stabilized source, SDCWA seeks to pay a fair, competitive price for its water supply and in the process lessen increased demand for water for southern California from the State Water Project.

A water transfer from IID to SDCWA is a key element of the ``California 4.4 Plan'' which is being developed by the Colorado River Board of California and the California State Department of Water Resources, at the request of the Secretary of the Interior and the other Colorado River basin states. This Plan is intended to address the need for California to reduce its reliance on Colorado River water to its legal entitlement of 4.4 million acre-feet of Colorado River water. California currently is diverting approximately 5.2 million acre-feet of Colorado River water per year.

Implementation of the proposed project will require certain state approvals, including approval by the State Water Resources Control

Board and compliance with CEQA and the California Endangered Species Act. Implementation will also require certain federal approvals, including approval of the proposed transfer between IID and SDCWA, compliance with NEPA, the federal Endangered Species Act and other related federal environmental laws, statutes, Executive Orders, and regulations. Reclamation will act as the federal lead agency pursuant to NEPA because certain actions taken to facilitate the transfer will require approval by the Secretary of the Interior. Such actions could potentially include amendments to IID's contract with the Secretary, change in the point of diversion of Colorado River water, change in type of use, change in place of use, verification or concurrence in the amount of water conserved by this Project, and verification of beneficial use of Colorado River water. Reclamation is therefore seeking comments from the public on the scope of the issues and extent of analysis that should be evaluated in the EIR/EIS.

Additional information can be obtained from the project website at <http://www.is.ch2m.com/iidweb>.

## Alternatives

The EIR/EIS will evaluate other feasible project alternatives, including a range of alternative conservation measures, water supply and transfer alternatives, and various alternative measures in addition to the No Project/No Action Alternative.

Potential water supply alternatives that will be considered in the EIR/EIS include the following:

- <bullet> Additional water conservation in the San Diego service area
- <bullet> Additional water repurification and recycling
- <bullet> Desalination
- <bullet> Additional water transfers from Northern California
- <bullet> Transfer of water conserved in another agricultural region with conveyance through the State Water Project and Metropolitan Water **District** system

## Potential Environmental Effects

The full range of environmental impacts has not been quantified temporally and spatially. Until specific conservation alternatives have been developed, potential environmental effects could include the following:

### Lower Colorado River Area

- <bullet> Reduction in Colorado River water flows between Parker and **Imperial** Dams
- <bullet> Impacts to Colorado River water quality
- <bullet> Impacts to wildlife, protected species and their habitats
- <bullet> Cumulative impacts to water quality

### San Diego County

- <bullet> Growth-inducing impacts
- <bullet> Salton Sea
- <bullet> Effects on water levels, salinity, and water quality
- <bullet> Effects on fisheries habitat

- <bullet> Impacts to wildlife, protected species and their habitats
- <bullet> Impacts to recreational uses

**Imperial Valley**

- <bullet> Impacts to water flow and quality
- <bullet> Effects on selenium, boron, and pesticide concentrations
- <bullet> Impacts to wildlife, protected species and their habitats
- <bullet> Socio-economic impacts
- <bullet> Air quality impacts

The draft EIR/EIS is expected to be completed by a target date of April 3, 2000. Availability of the draft EIR/EIS for public review and comment will be announced and noticed in the local media and by a Federal Register Notice.

Dated: September 23, 1999.  
Steven Richardson,  
Chief of Staff, Bureau of Reclamation.  
[FR Doc. 99-25187 Filed 9-24-99; 8:45 am]  
BILLING CODE 4310-94-P

[Federal Register: November 6, 2000 (Volume 65, Number 215)]  
[Notices]  
[Page 66557-66558]  
From the Federal Register Online via GPO Access [wais.access.gpo.gov]  
[DOCID:fr06no00-78]

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DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

**Notice of Intent** to prepare an Environmental Impact Report (EIR)/  
Environmental Impact Statement (EIS) on the Imperial Irrigation  
District/San Diego County Water Authority Water Conservation and  
Transfer Project

AGENCY: Bureau of Reclamation, Interior.

ACTION: Amended **Notice of Intent** to Prepare a Joint Environmental  
Impact Report/Environmental Impact Statement (EIR/EIS).

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SUMMARY: The Fish and Wildlife Service (Service) intends to be a  
cooperating agency (pursuant to 40 CFR section 1501.6) in the Bureau of  
Reclamation's (Bureau) preparation of a joint EIR/EIS pursuant to the  
National Environmental Policy Act (NEPA) and the California  
Environmental Quality Act (CEQA). The joint EIR/EIS will be developed  
for: (1) the conservation and transfer of water from Imperial  
Irrigation District (IID) to the San Diego County Water Authority  
(SDCWA), the Coachella Valley Water District (CVWD) and/or the  
Metropolitan Water District of Southern California (MWD) and (2)  
approval of a Habitat Conservation Plan, and issuance of an incidental  
take permit, pursuant to section 10(a)(1)(B) of the Endangered Species  
Act of 1973, as amended, including consideration of conservation  
measures or plans addressing State-listed species.

This **notice** is being furnished pursuant to the Council on  
Environmental Quality Regulations for Implementing the Procedural  
Provisions of the National Environmental Policy Act (40 CFR section  
1501.22). Pursuant to regulations at 40 CFR (sections 1501.7 and  
1508.22), the Bureau, as lead agency pursuant to NEPA, and the Service,  
as the Federally authorized permitting agency, are seeking suggestions  
and information from other agencies and the public on the scope of  
issues and alternatives to be considered in preparation of the joint  
EIR/EIS pertaining to possible issuance of a Federal incidental take  
permit. To satisfy both NEPA and CEQA, the Service, as a cooperator,  
with the Bureau as the Federal lead agency and IID as the State lead  
agency are conducting this additional scoping process for the  
preparation of the environmental documents.

DATES: In order to expedite the planning process, the above agencies  
request all scoping comments on this **notice** be received by December 6,  
2000.

ADDRESSES: You should address written comments to Ms. Nancy Gilbert, Assistant Field Supervisor, Fish and Wildlife Service, 2730 Loker Avenue West, Carlsbad, California 92008. You may also send comments by facsimile to (760) 431-9618.

FOR FURTHER INFORMATION: Contact Ms. Carol Roberts, Salton Sea Coordinator, or Mr. Pete Sorensen, Division Chief, at the above Carlsbad address or by telephone at (760) 431-9440. Persons wishing to obtain background material may contact Mr. Steve Knell of the Imperial Irrigation District at 333 E. Barioni Blvd., P.O. Box 937, Imperial California 92251, or by telephone at (760) 339-9266.

SUPPLEMENTARY INFORMATION: The Bureau is publishing this **notice** to amend the September 27, 1999 **Notice of Intent** (see 64 FR 52102) to provide public **notice** that the project EIR/EIS will include an evaluation of the impacts associated with the potential issuance of an incidental take permit. This was not specifically addressed in the initial **Notice of Intent** provided for the project. The Habitat Conservation Plan will cover a broad array of activities including: water conservation, water conveyance and drainage, operation and maintenance, system improvements, miscellaneous activities, and third party activities required to achieve the conservation and transfer of up to 300,000 acre-feet of water per year from IID to the SDCWA and to meet the voluntary cap on IID's water use of 3.1 million acre-feet per year from the Colorado River. Up to 100,000 acre-feet of the water conserved by IID may be transferred to the CVWD and/or MWD, instead of SDCWA, as part of the proposed Quantification Settlement Agreement on the Colorado River. The EIR/EIS will evaluate transfer volumes up to 400,000 acre-feet per year. The IID (Applicant) intends to request an incidental take permit for up to 96 listed (Federal and State) and unlisted species of concern (fish, wildlife, and plants) under specific provisions of the permit. In the case of unlisted species, the permit will provide coverage should these species be listed in the future. The Plan will cover all areas of IID's water delivery and collection system from the Imperial Dam on the Colorado River throughout the Imperial Valley (approximately 470,000 acres) into the Salton Sea.

#### Availability of Documents

During the comment period the documents will be available for public inspection by appointment during normal business hours (8 a.m. to 5 p.m.,

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Monday through Friday) at the Service's Carlsbad Fish and Wildlife Office, the Imperial Irrigation District headquarters in Imperial, and the San Diego County Water Authority office in San Diego. Availability of the draft EIR/EIS for public review and comment will be announced and noticed in the local media and by a Federal Register **notice**.

#### Background

IID is an irrigation district formed under California law which provides irrigation water and power to the lower southeastern portion of the California desert. IID was established in 1911 to deliver

Colorado River water to lands within the Imperial Valley, California for agriculture, domestic, industrial and other beneficial uses. IID maintains a complex system of delivery canals, laterals, and drains which serve approximately 470,000 acres of intensive agriculture. The project area is approximately bounded by the All-American Canal to the south, the East Highline Canal to the east, the Westside Main Canal to the west, and the Salton Sea to the north. Agricultural drainage flows into the New and Alamo Rivers and into the Salton Sea, a designated repository for agricultural drainage.

On April 29, 1998, IID and SDCWA executed an agreement for the conservation and transfer of up to 300,000 acre-feet of Colorado River water per year from IID to SDCWA. As part of the project, IID intends to implement a conservation program that includes the participation of Imperial Valley land owners and tenants so that on-farm as well as system based conservation can be implemented to achieve the required level of conservation. This transfer is a key part of the California 4.4 Plan that will result in California water agencies using only their 4.4 million acre-foot apportionment of the Colorado River. California is currently diverting up to 5.2 million acre-feet of Colorado River water per year. Subsequent negotiations with other Colorado River water rights holders in California have resulted in a proposed Quantification Settlement Agreement among IID, MWD, and CVWD which would reduce the maximum amount of conserved water transferred to SDCWA to 200,000 acre-feet per year and would provide for the transfer of the additional 100,000 acre-feet to the CVWD and the MWD.

A joint EIR/EIS is being prepared by the Bureau and the IID with the Service as a cooperating agency to address the impacts associated with the project and with permit issuance for the project. Additional information on the project can be found in the original **Notice of Intent** published at 64 FR 52102. Scoping meetings were held in response to that **Notice of Intent** on October 12-20, 1999, and no additional scoping meetings are planned in response to this **notice**.

Section 9 of the Endangered Species Act and the Service regulations prohibit the ``take'' of threatened or endangered wildlife. Take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed animal species, or attempt to engage in such conduct (16 U.S.C. 1538). Harm may include significant habitat modification that actually kills or injures wildlife by significantly impairing essential behavior patterns, including breeding, feeding and sheltering [50 CFR 17.3(c)]. The Service, however, may issue permits to take endangered and/or threatened wildlife incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for endangered and threatened species are found at 50 CFR 17.22 and 17.32.

In anticipation of applying for an incidental take permit the IID is developing a Habitat Conservation Plan. Accordingly, under section 10 of the Endangered Species Act, the Service may issue a permit to the IID authorizing the take of listed and unlisted species incidental to the otherwise lawful conservation and transfer of up to 300,000 acre-feet of Colorado River water per year to the SDCWA, the CVWD, and the MWD, and additional conservation necessary to achieve the IID's voluntary cap of 3.1 million acre-feet/year on their use of Colorado River water.

The permit application will include a Habitat Conservation Plan (Plan) and an Implementation Agreement that define the responsibilities of all parties under the Plan. IID's Plan will cover roughly the area along the length of the All-American Canal and north of the All-



American Canal to the Salton Sea bounded on the east by the East Highline Canal and on the west by the Westside Main Canal. The Plan will identify the species proposed for coverage under the Plan including federally-listed species for which take would be granted at the time of permit issuance as well as other species of concern for which take would be granted should those species be listed in the future. The Plan also describes alternatives to the action and includes measures to minimize and mitigate impacts to species covered in the Plan. The Plan will address minimization and mitigation using both a habitat based and a species by species approach. The joint EIR/EIS will consider IID's proposed project (Proposed Action Alternative) along with other alternatives and the No Action Alternative. Under the Proposed Action Alternative the Service would review IID's incidental take permit application under section 10(a)(1)(B) of the Endangered Species Act.

Environmental review of the Plan will be conducted in accordance with the requirements of the 1969 National Environmental Policy Act as amended (42 U.S.C. 4321 et seq.), National Environmental Policy Act regulations (40 CFR parts 1500-1508), other appropriate regulations, and Service procedures for compliance with those regulations. This **notice** is being furnished in accordance with section 1501.7 of the National Environmental Policy Act to obtain suggestions and information from other agencies and the public on the scope of issues to be addressed in the joint EIR/EIS.

The Service will utilize the joint EIR/EIS in its evaluation of the permit application, the Habitat Conservation Plan, Implementing Agreement, associated documents, and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Endangered Species Act. If the Service determines that the requirements have been met, the Service will issue a permit for the incidental take of the covered listed species.

Dated: October 30, 2000.  
Robert W. Johnson,  
Regional Director.  
[FR Doc. 00-28431 Filed 11-3-00; 8:45 am]  
BILLING CODE 4310-MN-P

## **Scoping Summary Report**

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*Final*

# **IID/SDCWA Water Conservation and Transfer Project EIR/EIS**

## **Scoping Summary Report**

Prepared by

**CH2MHILL**

3 Hutton Centre Drive  
Suite 200  
Santa Ana, California 92707

March 10, 2000

Approved

IID\_\_\_\_\_

Reclamation \_\_\_\_\_

SDCWA\_\_\_\_\_

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	10/18/99..... Las Vegas, Nevada
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	10/20/99..... San Diego, California
E	Scoping Meeting Handouts and Materials
F	Speaker Cards
G	Written Comments and Letters
H	Methodology for Categorizing Scoping Comments
I	Scoping Comments Database
J	Draft EIR/EIS Outline
K	Summary of Issues Determined to be Outside the Proposed Scope of the Draft EIR/EIS

# Acronyms

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AF	acre feet
af/yr	acre-feet per year
CDFG	California Department of Fish and Game
CEQ	Council on Environmental Quality
CEQA	State of California Environmental Quality Act
CVWD	Coachella Valley Water District
Draft EIR/EIS	Draft Environmental Impact Report/Environmental Impact Statement
IID	Imperial Irrigation District
Key Terms	Key Terms for Quantification Settlement Among the State of California, IID, CVWD, and MWD
MWD	Metropolitan Water District
NEPA	National Environmental Policy Act
NOI/NOP	Notice of Intent/Notice of Preparation
proposed Project	IID/SDCWA Water Conservation and Transfer Project
Reclamation	U.S. Bureau of Reclamation
SDCWA	San Diego County Water Authority
SWRCB	State Water Resources Control Board
TDS	total dissolved solids

## SECTION 1

# Introduction and Background

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The U.S. Bureau of Reclamation (Reclamation) and the Imperial Irrigation District (IID) are preparing a joint Draft Environmental Impact Report/ Environmental Impact Statement (Draft EIR/EIS) to assess the potential environmental impacts of the IID/San Diego County Water Authority (SDCWA) Water Conservation and Transfer Project (proposed Project). The Project Vicinity Map is shown in Figure 1-1. The Draft EIR/EIS is being prepared in accordance with the National Environmental Policy Act (NEPA) and the State of California Environmental Quality Act (CEQA). The proposed Project consists of the conservation by IID of up to 300,000 acre-feet per year (af/yr) of Colorado River water and the subsequent transfer of all or a portion of the conserved water to SDCWA, and under certain circumstances, other designees. Reclamation is the federal Lead Agency under NEPA, and IID is the state Lead Agency under CEQA.

The purpose of this Scoping Summary Report is to provide a summary of the proposed scope of the environmental analysis to be included in the Draft EIR/EIS, which is based, in part, on input received during the scoping process. This report also includes a summary of the comments received during the scoping process and presents responses to the comments that, among other things, identify how the issues raised will be addressed in the Draft EIR/EIS.

This report includes an introduction (Section 1), an overview of the purpose of the scoping process (Section 2), and a summary of the number and nature of comments received (Section 3). It also includes a section identifying how the issues raised in the scoping comments will be addressed in the Draft EIR/EIS and provides general responses to commonly raised issues (Section 4). In some cases, a determination has been made that the issues raised by certain comments are beyond the proposed scope of the environmental assessment required for the proposed Project; therefore, those issues will not be addressed in the Draft EIR/EIS. Issues of this type can generally be characterized by one of the following designations:

- (1) The issue does not identify an “environmental impact” associated with the proposed Project;
- (2) The issue identifies a potential environmental impact, but the Lead Agencies have determined that it is not “potentially significant;”
- (3) The issue refers to a separate, unrelated project; or
- (4) The issue makes a general information request.

For each issue determined to be outside the scope of the Draft EIR/EIS, an explanation is provided in Section 4.3 and Appendix K.

This report also provides the following supporting information, included as appendixes to this report:




Appendix A:	Notice of Intent/Notice of Preparation (NOI/NOP) Notification
Appendix B:	Notices of Public Scoping Meetings
Appendix C:	Public Scoping Meeting Sign-In Sheets
Appendix D:	Public Scoping Meeting Transcripts
Appendix E:	Scoping Meeting Handouts and Materials
Appendix F:	Speaker Cards
Appendix G:	Written Comments and Letters
Appendix H:	Methodology for Categorizing Scoping Comments
Appendix I:	Scoping Comments Database
Appendix J:	Draft EIR/EIS Outline
Appendix K:	Summary of Issues Determined to be Outside the Proposed Scope of the Draft EIR/EIS

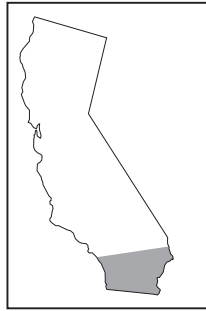


# CALIFORNIA

SAN BERNARDINO COUNTY

## LEGEND

-  Lower Colorado River Area
-  San Diego County Water Authority Service Area
-  Imperial Irrigation District Service Area
- Not to Scale



**Figure 1-1  
Vicinity Map  
IID/SDCWA Water  
Conservation and  
Transfer Project  
EIR/EIS**

October 7, 1999

**CH2MHILL**

## SECTION 2

# Scoping Process

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This section presents the purpose of the scoping process for the proposed Project, identifies the notification process that was implemented for the scoping meetings, the details of the meeting locations, and meeting attendance.

## 2.1 Purpose and Notification

The scoping process for the proposed Project was designed to solicit input from the public; from federal, state, and local agencies; and from other interested parties on the scope of issues that should be addressed in the Draft EIR/EIS and to identify significant issues related to the proposed Project. The scoping meetings were attended by groups interested in potential water delivery system and on-farm conservation methods, and other aspects of the proposed Project, including potential impacts to the Lower Colorado River, the Salton Sea, and the SDCWA and IID service areas.

The NEPA NOI was published in the *Federal Register* on September 27, 1999, and the CEQA NOP was distributed by the State Clearinghouse on September 29, 1999. Copies of the NOI and NOP are in Appendix A. Additional notification was provided by publishing public notices in newspapers of general circulation. The public scoping meetings were advertised in six local newspapers: *Imperial Valley Press*, *Desert Sun*, *San Diego Union Tribune*, *Los Angeles Times*, *El Sol del Valle*, and *Las Vegas Review-Journal/Sun*. Appendix B contains the public scoping meeting notices published in each newspaper.

In accordance with NEPA and CEQA guidelines, a 30-day comment period on the NOI/NOP was established that would end on October 27, 1999. The purpose of this 30-day comment period is to provide ample opportunity for the public, agencies, and other interested parties to evaluate and comment on environmental issues related to the proposed Project, while providing a definitive time frame for the Lead Agencies to receive public reactions to the issues raised. This schedule facilitates the Lead Agencies' efforts to evaluate and respond to the comments in an efficient manner and to identify the proposed scope of the Draft EIR/EIS. A 30-day extension to the comment period was requested and granted, which extended the official comment period to November 27, 1999. The Lead Agencies will continue to coordinate with the public, agencies, and other interested parties to consider comments throughout the environmental review process.

## 2.2 Scoping Meetings

The Lead Agencies conducted six public scoping meetings between October 12 and October 20, 1999, to solicit input from the public on potential environmental impacts, the significance of impacts, the appropriate scope of the environmental assessment, proposed mitigation measures, and potential alternatives to the proposed Project. In general, the scoping process resulted in good participation by a cross section of the general public, including local business communities and special interest and environmental groups, as

well as federal, state, and local agencies. The meetings were held at the following locations on the following dates. The number of attendees at each meeting is noted in parentheses.

- |  |   |
|--|---|
| 1) Northern Imperial Valley<br>(27 attendees)<br>Elks Lodge #1420<br>161 South Plaza<br>Brawley, CA 92227<br>Tuesday, October 12, 1999                         | 4) Lower Colorado River Region<br>(8 attendees)<br>Clark County Library<br>1401 East Flamingo Road<br>Las Vegas, NV 89119<br>Monday, October 18, 1999 |
| 2) Salton Sea Area<br>(88 attendees)<br>Salton Sea Community Service District<br>2098 Frontage Road<br>Salton City, CA 92275<br>Wednesday, October 13, 1999    | 5) Northern San Diego County<br>(13 attendees)<br>Carlsbad Senior Center<br>799 Pine Avenue<br>Carlsbad, CA 92008<br>Tuesday, October 19, 1999        |
| 3) Southern Imperial Valley<br>(28 attendees)<br>Board of Supervisors' Board Room<br>640 West Main Street<br>El Centro, CA 92243<br>Thursday, October 14, 1999 | 6) Southern San Diego County<br>(22 attendees)<br>SDCWA Building<br>3211 Fifth Avenue<br>San Diego, CA 92103<br>Wednesday, October 20, 1999           |

According to sign-in sheets, approximately 186 people attended the scoping meetings. Appendix C contains sign-in sheets from the scoping meetings. All six scoping meetings were recorded by a certified court reporter who provided written transcripts of the proceedings. Appendix D contains copies of the transcripts from the scoping meetings. In addition, for the two scoping meetings held in the Imperial Valley (Brawley and El Centro, California), a certified Spanish interpreter was present to provide simultaneous interpretation. The following documents were also made available as handouts at each scoping meeting.

- Scoping meeting agenda
- Project schedule
- NOI/NOP (in English and Spanish)
- Proposed Project map
- Written comment card
- Speaker card

Appendix E contains copies of the scoping meeting handouts and materials.

## SECTION 3

# Scoping Comments Received

This section presents a summary of the number and general content of the comments received during the scoping process. The majority of comments received will be addressed or considered in the Draft EIR/EIS.

## 3.1 Number of Comments

Of the 186 persons who attended the six scoping meetings, 49 provided oral testimony. Those who chose to speak at the scoping meetings were asked to fill out speaker cards to document the oral comments received during the scoping process. While not all oral commenters submitted speaker cards, Appendix F presents the 36 speaker cards that were received. In addition, a total of 44 written comment forms and letters were also received during the scoping comment period. See Appendix G for copies of the written comments. A breakdown of the number of commenters who provided written and/or oral testimony is presented in Table 3-1.

**TABLE 3-1**  
Number of Commenters<sup>1</sup> Submitting Oral or Written Comments

	<b>Federal Agency</b>	<b>State Agency</b>	<b>Local Agency</b>	<b>Special Interest/ Environmental Group</b>	<b>Individual</b>	<b>Local Business</b>	<b>Total</b>
Public Scoping Meeting Commenters	0	1	8	4	33	3	49
Written Comments and Letters	3	6	12	8	15	0	44
<b>Total</b>	<b>3</b>	<b>7</b>	<b>20</b>	<b>12</b>	<b>48</b>	<b>3</b>	<b>93</b>

<sup>1</sup> Each comment letter or oral comment received from an agency, individual, or other interested party was counted as one, although numerous issues within one letter or oral comment may have been raised.

A review of the comment letters and meeting transcripts indicated that some of the commenters raised multiple issues during their testimony and/or in their written comments and letters. As a result, a total of 341 issues were identified during the scoping process. After reviewing the 341 issues, it was determined that many of them could be combined into overlapping comment categories because of the common issues raised. See Appendix H for a discussion of the methodology for categorizing and combining scoping comments. As a result of combining like comments, 122 issues were identified. See Appendix I, Scoping Comments Database, for a detailed discussion of the 122 issues.

The Lead Agencies received three comment letters from federal agencies during the scoping process. Five California state agencies and one Arizona state agency participated in the scoping process, submitting six comment letters and one oral comment on issues ranging

from biological and air resources to recreation. Eleven local agencies submitted written comment letters, and eight local agencies submitted oral comments on various issues. Special interest/environmental groups submitted 12 comments primarily concerned with impacts to biological resources. Forty-eight individual comments raised issues on socioeconomic impacts and the health of the Salton Sea. Local businesses contributed three oral comments on the impact of the proposed Project on the local economy.

To facilitate the assessment of comments, those comments with common themes that raised similar issues or questions were organized and combined. Comments have been organized in the following categories: Water Quantity/Quality, Water Rights, Water Use, Groundwater, Air Quality, Biological Resources, Land Use, Recreation, Energy, Socioeconomics, Cost, Growth-Inducing Impacts, Cumulative Impacts, Mitigation/Monitoring, Alternatives, and Miscellaneous. The number of comments in each category is summarized in Table 3-2.

**TABLE 3-2**  
Number of Comments by Resource Category

Resource Category	Total Number of Comments Received	Number of Issues
Water Quantity/Water Quality	63	17
Water Rights	26	13
Water Use	35	18
Groundwater	14	4
Air Quality	9	1
Biological Resources	46	8
Land Use	12	3
Recreation	7	3
Energy (Public Services and Utilities)	4	2
Socioeconomics	35	11
Cost	22	10
Growth-Inducing Impacts	9	3
Cumulative Impacts	13	3
Mitigation/Monitoring	12	6
Alternatives	11	4
Miscellaneous	23	16
<b>Total</b>	<b>341</b>	<b>122</b>

## 3.2 Summary of Comments

This section summarizes the content of the written and oral comments submitted during the scoping process. The first part of this section presents a summary of the comments organized by the applicable resource category. For each resource category, a summary of the commenters' concerns is presented. This is followed by a discussion of the ways in which the comments were combined to account for common issues within each resource category. The comment responses reflect the Lead Agencies' preliminary direction for how to address the issues in the Draft EIR/EIS.

The combined comments for each resource category are presented in detail in Appendix I, Scoping Comments Database. Comments raising issues that have been determined to fall outside the scope of the Draft EIR/EIS are addressed in Section 4.3.

Generally, commenters were primarily concerned with impacts to hydrology and water quality, biological resources, and socioeconomics. The letters from federal agencies raised issues with respect to impacts to hydrology, water quality, biological resources, and the ways in which the proposed action could affect various federal regulations, treaties, and water rights. State agency comments from California and Arizona raised issues covering impacts to biological resources, air quality, recreation, and growth. State agencies were also concerned about cumulative impacts and the plans of the proposed Project for mitigation and monitoring. Local agencies expressed concern about the impact of the proposed Project on the local economy and the cost of both cumulative impacts and mitigation and monitoring. Special interest and environmental groups primarily commented on impacts to biological resources. Oral comments and written letters from individuals of the general public raised a variety of issues. Concerns about the impact of the proposed Project to socioeconomic conditions in the Imperial Valley and biological impacts to the Salton Sea were commonly raised. Impacts to the local economy were of great concern to local businesses.

### 3.2.1 Water Quantity/Water Quality

Sixty-three water quantity/water quality comments that raised common issues or concerns were combined to identify 17 issues. These issues primarily concerned the effect of the proposed Project on the water quality and quantity of the Salton Sea, Colorado River, the Delta in Mexico, and other potentially affected streams and watercourses.

Overall, commenters stated that the EIR/EIS must contain an appropriate level of environmental analysis for impacts to water quality and quantity. It was requested that all beneficial uses of Colorado River water be analyzed by addressing the compliance of the proposed Project with surface and instream water quality standards established by federal, state, tribal, and local agencies. Several commenters asked that the EIR/EIS address the impacts of the proposed Project at different levels of water transferred (i.e., at 100,000 af/yr, 200,000 af/yr, and 300,000 af/yr) in order to adequately identify all potential impacts. A comparative water quality analysis was requested to evaluate the current water supply received by SDCWA (a combination of State Water Project and Colorado River Water) and the anticipated supply from the proposed Project, which the commenter suggested could contain a higher level of total dissolved solids (TDS) and affect current treatment and distribution practices in the San Diego area.

A number of commenters requested clarification on the relationship of the proposed Project to the Salton Sea Restoration Project and whether the proposed Project would be beneficial to the Salton Sea (i.e., whether the Salton Sea would receive fresh water as a direct result of the proposed Project to reduce salinity levels). Several commenters suggested providing SDCWA with desalinated ocean water as an alternative to the water transfer from IID. Concerns were raised about whether sufficient water supplies for cities and districts in both the Imperial County and SDCWA service area could be guaranteed after the proposed Project is implemented.

### **3.2.2 Water Rights**

Twenty-six water rights comments that raised common issues or concerns were combined to identify 13 issues. These issues expressed concern primarily over present and future water rights allocation and the relationship of the proposed Project to the California 4.4 Plan. Commenters requested clarification of relevant water rights laws, the Colorado River allocation process and regulations, and the history of water rights and the water supply allocation within the Project area. The desire to maintain IID's current and historic Colorado River priorities and water rights was expressed. It was also requested that the proposed Project description be revised to ensure conformance with the results of the recently announced "Quantification Settlement."

### **3.2.3 Water Use**

Thirty-five water use comments that raised common issues or concerns were combined to identify 18 issues. These issues were primarily concerned with on-farm conservation methods and the assessment and monitoring of water management once the transfer to SDCWA occurs. Commenters stressed that the proposed Project should be in compliance with existing urban and agricultural water conservation plans. A few commenters suggested that SDCWA obtain needed water through a conservation plan within San Diego County rather than from the Imperial Valley. Overall, the majority of comments received asked for clarification on how the water would be conserved both on-farm and within the irrigation delivery system in Imperial Valley. Some commenters suggested the reuse of seepage and return flows and the use of unused gates in the Imperial Valley drainage system to conserve water. Additional comments received concerned Coachella Valley Water District (CVWD) water rights, importing sea water from the Gulf of Mexico, obtaining water supplies from central California to serve SDCWA, and the relationship of the proposed Project to the All American and Coachella Canals Lining Project.

### **3.2.4 Groundwater**

Fourteen groundwater comments that raised common issues or concerns were combined to form four issues. These issues primarily concerned the impacts of the proposed Project on the availability of groundwater in the vicinity of the Salton Sea, near the Colorado River, in San Diego County, and in Mexico. Commenters from the Imperial Valley are interested in the impact to their aquifer after the water transfer to SDCWA occurs.

### **3.2.5 Air Quality**

Eight air quality comments that raised common issues or concerns were combined to identify one issue concerning potential impacts to air quality. Commenters stated that

potential increases in particulate matter could be caused by the decreasing elevation of the Salton Sea, land fallowing and other agricultural activities, and the increased use of desert landscape to conserve water. Commenters remarked on the importance of monitoring to establish baseline conditions and health risk studies. The need for integration of findings from the California Air Resources Control Board and the Salton Sea Science Subcommittee was also stressed.

### 3.2.6 Biological Resources

Forty-six biological resources comments that raised common issues or concerns were combined to identify eight issues. The majority of these issues were raised by federal and state agencies and environmental groups. The main concerns of these commenters were the potential impact of the proposed Project on rare, threatened, and endangered species; on wetland habitats; and on proposed mitigation measures to reduce the impacts to a level of insignificance. Particular species of concern include black rail (*Laterallus jamaicensis*), Yuma clapper rail (*Rallus longirostris yumanensis*), desert pupfish (*Cyprinodon macularius*), brown pelican (*Pelicanus occidentalis*), razorback sucker (*Xyrauchen texanus*), Coachella Valley fringe-toed lizard (*Uma inornata*), Coachella Valley milk vetch (*Astragalus lentiginosus* var. *coachellae*), flat-tailed horned lizard (*Phrynosoma mcalli*), Palm Springs ground squirrel (*Spermophilus teritaudus chlorus*), Palm Springs pocket mouse (*Perognathus longimembris bangsi*), crissal thrasher (*Toxostoma crissale*), LeConte's thrasher (*Toxostoma lecontei*), burrowing owl (*Speotyto cunicularia*), and Peninsular bighorn sheep (*Ovis canadensis cremnobates*). Commenters raised concerns over inflows of high TDS entering the Salton Sea, resulting in impacts to fish and wildlife. Commenters also remarked on potential impacts to the rate of succession and conversion of wetland habitat to upland terrestrial habitat. The relationship and resulting cumulative impacts to other water supply and ecosystem restoration projects in the region seemed of particular importance.

### 3.2.7 Land Use

Twelve land use comments that raised common issues or concerns were combined to identify three issues. These issues primarily concerned the impact of the proposed Project on the productivity of Imperial Valley cropland and on agricultural resources and operations. Commenters expressed concern about the use of crop rotation and land fallowing to meet conservation requirements for the proposed Project. Interest in the evaluation of impacts to agricultural resources and operations as a result of the use of these methods was high. Commenters stressed the importance of compliance of the proposed Project with existing regional and local land use plans.

### 3.2.8 Recreation

Seven recreation comments that raised common issues or concerns were combined to identify three issues. These issues primarily concerned the impact of the proposed Project to navigation and boating (recreation) on the Colorado River and in the Salton Sea area. A potential reduction in the elevation of the Salton Sea level caused concerns about impacts to recreation in the Salton Sea area. Concern over the construction of new canals or pipelines through state park or wilderness lands was also expressed.



### **3.2.9 Energy (Public Services and Utilities)**

Four energy comments that raised common issues or concerns were combined to identify two issues. These issues requested the Draft EIR/EIS to address potential impacts to energy resources. Commenters raised concern over the potential incompatibility of the proposed Project with existing energy conservation plans as a result of increasing the amount of energy required for groundwater pumping as water levels decline. Commenters stated that the diversion of water upstream of hydroelectric power facilities along the Colorado River could result in a reduction of hydropower generation at Parker Dam. One comment suggested the use of solar-powered sodium removal and sodium hypochlorite generation facilities to reduce impacts to energy resources and reduce salt levels in the Salton Sea.

### **3.2.10 Socioeconomics**

Thirty-five socioeconomic comments that raised common issues or concerns were combined to identify 11 issues. These issues primarily concerned the impact of the proposed Project on the residents and local economy of the Salton Sea and Imperial Valley. However, one comment requested an analysis of impacts on cities such as Mecca, Thermal, Indio, Palm Desert, and La Quinta. It was requested that impacts to residents of Imperial Valley and the Salton Sea area be treated with equal concern as impacts to individual or corporate water rights holders. Numerous commenters asked that the potential impacts to the agricultural economy of the Imperial Valley be addressed in the EIR/EIS. Specifically, impacts to farm workers' jobs and labor skills, and on-farm-related businesses such as impacts to fertilizer, pesticides, seeds, equipment, and mechanic companies were emphasized. Also of concern were impacts to Indian Tribes and environmental justice issues affecting minority communities and low-income populations.

### **3.2.11 Cost**

Twenty-two comments that raised common issues or concerns on Project costs were combined to identify 10 issues. These issues focused on the distribution of economic incentive benefits for conservation efforts and distribution of the revenue generated from the proposed Project. Comments pertaining to the cost of environmental mitigation and increases to SDCWA water rates were also raised. One comment requested a reduction in the cost of litigation associated with past and future water transfers in the Imperial Valley.

### **3.2.12 Growth-Inducing Impacts**

Nine comments on growth-inducing impacts that raised common issues or concerns were combined to identify three issues. These issues concerned the impact of the proposed Project on growth in San Diego County and the Salton Sea area. Commenters requested that the EIR/EIS analyze the potential impact on growth in the Salton Sea area if sea levels drop and more land becomes available for development.

### **3.2.13 Cumulative Impacts**

Thirteen comments on cumulative impacts that raised common issues or concerns were combined to identify three issues. These issues primarily concerned the relation of the proposed Project to the Salton Sea Restoration Project and potential direct, indirect, third-party, and cumulative impacts. One commenter emphasized the importance of the

evaluation of the effects of similar, cumulative actions in addition to the proposed Project that would reduce Colorado River flows.

### **3.2.14 Mitigation/Monitoring**

Twelve mitigation/monitoring comments that raised common issues or concerns were combined to identify six issues. These issues suggested that appropriate mitigation measures be developed and monitored and that mitigation responsibilities be appropriately assigned. Commenters emphasized that mitigation measures and mitigation monitoring and reporting for the proposed Project should fulfill requirements set by the California Department of Fish and Game (CDFG). The commenters also requested that the selected mitigation measures emphasize the evaluation and selection of alternatives that avoid or otherwise minimize impacts of the proposed Project. It was suggested that additional work might be needed to develop appropriate measures to mitigate adverse air quality effects resulting from the proposed Project. One commenter asked that specific mitigation measures be developed to address increasing salinity concentrations in agricultural soils.

### **3.2.15 Alternatives**

Eleven comments on alternatives that raised common issues or concerns were combined to identify four issues that will be addressed in the Draft EIR/EIS. These issues generally requested that reasonable alternatives to the proposed Project, including alternative feasible water transfer mechanisms, be addressed in the Draft EIR/EIS. Commenters suggested that the Draft EIR/EIS consider the following alternatives to the proposed Project:

- No Action Alternative
- No Project Alternative
- Providing water to SDCWA from an alternate water supplier
- Water rationing
- Water conservation in the SDCWA service area
- Growth control in San Diego County
- Return of recycled water to the Colorado River by a canal or aqueduct
- Desalination of ocean water

In addition, one commenter requested that the Draft EIR/EIS consider a range of water transfer mechanisms to transport the water from the Imperial Valley to SDCWA, including tunneling or installing a pipeline or canal.

### **3.2.16 Miscellaneous**

Twenty-three miscellaneous comments were received that raised common issues or concerns that could not be categorized under the first 15 resource issues. These 23 comments were combined to identify 16 general issues. In general, these issues requested: (1) extensions to the official comment period, (2) copies of the Public Notice, and (3) proper referencing of environmental documentation within the Draft EIR/EIS. In addition, commenters requested that public meetings concerning the proposed Project also be held in Calexico, California, and Yuma, Arizona. In addition, Salton Sea area residents requested additional opportunities to participate in the proposed Project environmental review process. One commenter was concerned that despite the terms of years written into the proposed Project definition, a water transfer of the magnitude of the proposed Project will

become a permanent and irreversible transfer but not be assessed as such in the Draft EIR/EIS. Another commenter requested that after the Draft EIR/EIS is issued, the reviewing public be given definition of the exact purposes for which the Lead Agencies and other responsible agencies will use the assessment.

## SECTION 4

# Proposed Scope of the Draft EIR/EIS and General Responses to Comments

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As discussed above in Section 3.1, comments received during the scoping process identified 122 issues that federal, state, and local agencies; special interest and environmental groups; individuals; and businesses felt should be addressed in the Draft EIR/EIS. After thorough consideration of these issues, an initial determination concerning the scope of the Draft EIR/EIS has been made. The categorization of comments facilitated the identification of potentially impacted resource categories and helped to determine the scope of the Draft EIR/EIS. A detailed discussion of the proposed scope of the Draft EIR/EIS is presented in Section 4.1, and an outline of the Draft EIR/EIS is included as Appendix J.

The Lead Agencies' initial responses to the issues raised by the comments received are set forth below and in Appendix I. General responses addressing the following resources include water rights issues, socioeconomics issues, transboundary issues, the State Water Resources Control Board (SWRCB) proceeding in connection with the proposed Project, other projects related to the proposed Project, and alternatives to the proposed Project. In addition, issues that are not answered by the general responses have been responded to on an individual basis in Appendix I, Scoping Comments Database. The responses are intended to provide the public with a greater understanding of how specific issues will be addressed in the Draft EIR/EIS.

## 4.1 Proposed Scope

The proposed scope of the Draft EIR/EIS has been determined after review and consideration of the written and oral comments received during the scoping process. These comments, in addition to feedback that will be received during agency consultation and coordination, will help determine the final scope of the Draft EIR/EIS. The preliminary scope of the Draft EIR/EIS is discussed below.

Chapter 1 of the Draft EIR/EIS will present a general introduction and overview of the proposed Project including background information. Chapter 1 will cover the consultation and coordination process, including the scoping process conducted with the public and the consultation and coordination conducted with Responsible, Cooperating, and Trustee Agencies, and Indian Tribes. The purpose and need for the proposed Project will also be presented in Chapter 1.

Chapter 2 of the Draft EIR/EIS will provide a detailed description of the proposed Project, including Project location and study area and identification of Project components. A discussion of Project alternatives will be presented, including the screening process for selection of alternatives according to the NEPA and CEQA requirements for alternatives.

Chapters 3 and 4 will present the environmental setting and the environmental impacts and subsequent mitigation measures for the following resources: Hydrology and Water Quality,

Geology and Soils, Transportation and Traffic, Noise, Air Quality, Biological Resources, Aesthetics, Land Use and Planning, Agricultural Resources, Recreational Resources, Public Services and Utilities, Socioeconomics, Public Health and Environmental Hazards, Cultural Resources, Indian Trust Assets, and Transboundary Effects. The resources to be addressed in Chapters 3 and 4 were identified and refined after considering issues raised during the scoping process.

Chapter 3 presents the environmental setting for each resource category. This includes a description of the environmental baseline conditions and characteristics of the study region and Project area as they relate to each resource. Chapter 4 will identify potential environmental impacts and proposed mitigation measures. Unavoidable significant impacts of the proposed Project and alternatives, including the No Project/No Action Alternative, will be addressed. The methods of assessment, significance criteria, and regulatory setting of each resource will also be presented.

Chapter 5 will discuss other CEQA and NEPA topics, such as the relationship between short-term uses of the environment and the maintenance and enhancement of long-term productivity. Chapter 6 will analyze the cumulative impacts of the proposed Project and alternatives. The analysis will include a listing of the projects considered for the cumulative analysis. A detailed outline of the table of contents proposed for the Draft EIR/EIS is included as Appendix J of the scoping summary report on the Project web site.

## **4.2 General Responses**

The Lead Agencies have developed the following general responses to issues raised by questions and comments on the following issues: water rights issues, socioeconomic issues, transboundary issues, the SWRCB proceeding in connection with the proposed Project, other projects related to the proposed Project, and alternatives to the proposed Project. These general responses were developed to address these issues because they were commonly raised during the scoping process. Comments or questions that raised other issues are responded to in Appendix I, Scoping Comments Database.

### **4.2.1 Water Rights**

Several comments received during the scoping process requested clarification on the nature of the Colorado River water rights held by IID and others, and the effects of the proposed Project on those rights. The following background information is provided in response to those comments.

IID holds very senior rights to Colorado River water, which are respected under both state and federal law, known as the “Law of the River.” Beginning in 1885, IID’s predecessor started acquiring rights to Colorado River water under state law. Then, under the 1922 Colorado River Compact and the 1928 Boulder Canyon Project Act, California, Nevada, and Arizona (referred to as the Lower Basin States) were apportioned a total of 7.5 million acre feet (AF) of Colorado River water per year. This allocation is apportioned among those states as follows:

California	4,400,000 AF
Nevada	300,000 AF
Arizona	2,800,000 AF

The 7.5 million-AF allocation to the Lower Basin States does not include surplus water, which is apportioned 50 percent to California, 4 percent to Nevada, and 46 percent to Arizona.

California's apportionment of Colorado River water is divided among entitlement holders in accordance with a schedule of priorities agreed to in the 1931 Seven-Party Agreement. Each holder can divert Colorado River water, in priority order, up to the maximum amount stated for that priority, to the extent water is available. The apportionments and priorities are presented in Table 4-1 below.

**TABEL 4-1**  
Colorado River Rights Apportionment and Priorities

Priority	Holder	Maximum Amount (Af/Yr)
1	Palo Verde Irrigation District—gross area of 104,500 acres	
2	Yuma Project (Reservation District)—not exceeding a gross area of 25,000 acres	
3a	IID and lands in Imperial and Coachella Valleys to be served by the All American Canal	3,850,000
3b	Palo Verde Irrigation District—16,000 acres of mesa lands	
4	Metropolitan Water District and/or City of Los Angeles and/or others on coastal plain	550,000
<b>SUBTOTAL</b>		<b>4,400,000</b>
5a	Metropolitan Water District and/or City of Los Angeles and/or others on coastal plain	550,000
5b	City and/or County of San Diego	112,000
6a	IID and lands in Imperial and Coachella Valleys	300,000
6b	Palo Verde Irrigation District—16,000 acres of mesa lands	
7	Agricultural use	all remaining water
<b>TOTAL</b>		<b>5,362,000</b>

This schedule shows that the holders of Priorities 1 through 3 (referred to as the "agricultural users") can divert, in priority order, up to an aggregate maximum amount not to exceed 3,850,000 af/yr. The historical average annual use for Priorities 1 and 2 is approximately 420,000 af/yr. CVWD's entitlement under Priority 3 is subordinated to IID's Priority 3 entitlement, pursuant to a 1934 agreement between the parties. This schedule does not reflect the entitlement of Indian or miscellaneous present perfected right holders to the Colorado River.

The proposed Project includes a voluntary commitment by IID to limit its Priority 3 Colorado River water diversions to 3.1 million af/yr during the term of the Project. IID

intends, by this limitation, to ensure that the proposed water transfers will not adversely impact junior water rights holders. In particular, when Priorities 1 and 2 use their historical average, this limitation would make available 330,000 af/yr of Priority 3 water to CVWD, an amount equal to CVWD's recent historical average use of Colorado River water. State and federal water regulators will consider impacts on such junior water rights holders in connection with various federal and state implementation agreements and/or approvals required for the proposed Project.

The proposed Project, if viewed under state law, involves a transfer of conserved water, not a transfer of IID's water rights. The transfer is contingent upon the confirmation of all state regulatory authorities that the conserved water will retain its character as water diverted by IID and that the transfer will not change IID's Priority 3 right to the water (subject to the 3.1 million-AF limitation described above). The proposed Project, if viewed under federal law, involves the temporary limitation of IID's Priority 3 right to 3.1 million AF, and the agreement of IID to refrain from ordering an amount of water equivalent to that conserved by IID in accordance with the IID/SDCWA transfer agreement. The Secretary will, under federal law, deliver that water for SDCWA's use at the Colorado River Aqueduct and account for it accordingly during the term of the IID/SDCWA agreement and in accordance with an Implementation Agreement pursuant to the Quantification Settlement Agreement. It is an important objective of IID to retain its historic and senior water rights. The Secretary will agree that IID's right to the delivery of Priority 3 water will survive the termination of the IID/SDCWA transfer agreement. It is also an important objective of SDCWA that the transferred water be Priority 3 water in order to gain the benefit of seniority and reliability in times of shortage.

#### **4.2.2 Socioeconomics**

Several questions and comments were received concerning the impact of the proposed Project on the agricultural resources and socioeconomic attributes of the Imperial Valley. The following is provided in response to those comments.

The number of farmable acres in the Imperial Valley has remained relatively constant at approximately 480,000 acres, with total acreage in cultivation during any given year ranging from 450,000 to 470,000. Cropping patterns and frequencies within the valley have remained fairly constant over the past 10 years, with annual fluctuations being driven by anticipated changes in market prices based on short-term projections. The proposed Project assumes that the historic patterns of total irrigated acres in production, cropping patterns, and cropping frequencies will remain within the range of historical fluctuation. A discussion of the data used to identify the historic patterns will be included in the Agricultural Resources section of the EIR/EIS.

The Draft EIR/EIS will assess the potential socioeconomic impacts of the proposed Project in conformance with NEPA and CEQA requirements. Potential impacts to the regional economy will be identified at the County level. The County-level unit of analysis is used because this is generally the smallest unit of measurement for which economic data are collected and reported. Overall economic impacts of the proposed Project will be identified and assessed for aggregated sectors such as Agriculture, Manufacturing and Government (in terms of changes in employment), and personnel income and economic output for each aggregated sector. A full disclosure of the sources of data used and assumptions employed in the analysis will be provided in the EIR/EIS.

As an intermediate step in identifying the County-level regional economic impacts, changes in the costs of production and farm-level revenue streams will be identified. The Agricultural Resources section will provide a description of the assumptions used to identify impacts to farm-level economics, including the costs of production, values used for anticipated crop yields and prices, and any revenues received from the sale of conserved water. An analysis of the impact of the proposed Project on farm and nonfarm land values will be included in the EIR/EIS, including a qualitative discussion regarding the impacts to future nonagricultural economic development.

The potential impacts of the proposed Project on the Torres-Martinez Tribe and the trust responsibilities of the Department of Interior will be addressed within the Indian Trust Assets section of the EIR/EIS. An analysis of the potential Project impacts on low-income and minority populations will be conducted as part of the Socioeconomics section of the EIR/EIS.

### **4.2.3 Transboundary Issues**

Within the context of the Draft EIR/EIS, transboundary issues refer to effects to Mexico caused by the proposed Project. The Council on Environmental Quality (CEQ), a branch of the Executive Office of the United States President, issued a recommendation stating that to be consistent with NEPA, transboundary effects to the environment resulting from proposed federal actions taking place in the United States should be considered. The guidance pertains to all federal agency actions that are normally subject to NEPA, whether covered by an international agreement or not. This guidance is a result of negotiations with the governments of Mexico and Canada to develop an agreement on transboundary environmental impact assessment authorized in Section 10.7 of the North American Agreement on Environmental Cooperation. The analysis should include reasonably foreseeable transboundary effects of federal actions. Impacts in Mexico are subject to Mexican laws and regulations. The federal actions for the Project are related to the change in the point of diversion on the Lower Colorado River. Direct and indirect effects of the federal action will be evaluated in the Draft EIR/EIS.

Transboundary effects may occur in any of the resource areas considered in the Draft EIR/EIS. The Draft EIR/EIS will address potential transboundary effects. Transboundary effects will also be cross referenced, as appropriate, to other resource sections that assess specific environmental resource issues (e.g., migratory birds, socioeconomic effects, water quality, and air quality).

### **4.2.4 SWRCB Proceeding**

Several comments received during the scoping process requested information about the purpose of the SWRCB proceeding in connection with the proposed Project. IID believes the SWRCB proceeding is necessary under state law in order to implement the proposed Project. IID and SDCWA have requested SWRCB, among other things: (1) to approve the water transfer under Section 1011 of the California Water Code, (2) to confirm that the conserved water retains the same priority as IID's senior water rights, and (3) to make a determination that the transfer establishes reasonable and beneficial use of Colorado River water by IID. SWRCB's determination of these matters, as requested, must be obtained before IID and SDCWA will proceed with the proposed Project.



In reviewing this request, SWRCB will assess the impact of the transfer on the holders of Colorado River rights, which are junior to those of IID. As described in Section 4.2.1, Water Rights, the proposed Project includes a commitment by IID to limit its annual Priority 3 Colorado River water diversion to 3.1 million AF, for the benefit of junior rights holders, in order to facilitate SWRCB's approval.

#### **4.2.5 Other Projects Related to the Proposed Project**

Several commenters remarked on agreements, transfers, and other projects related to the proposed Project, including the Salton Sea Restoration Project, the California 4.4 Plan, the Quantification Settlement between IID, CVWD, and Metropolitan Water District (MWD), the All American and Coachella Canal Lining Projects, and Coachella Valley Resources. General responses that address these are discussed in more detail below.

**Salton Sea Restoration Project.** The Salton Sea Restoration Project is a separate project from the proposed Project and is authorized by 1998 legislation passed by Congress. The Salton Sea Reclamation Act directs Reclamation and the Salton Sea Authority to study potential solutions to improve the current conditions at the Salton Sea. The Salton Sea Authority is the state lead agency, and Reclamation is the federal lead agency. IID is a member of the Salton Sea Authority. A joint EIR/EIS is being prepared for the Salton Sea Restoration Project, and the Draft EIR/EIS was released in January 2000. The Lead Agencies for the proposed Project are coordinating with the project team for the Salton Sea Restoration Project in an effort to coordinate scientific analyses and to ensure that the EIR/EIS for the proposed Project includes an appropriate assessment of related and cumulative impacts to the Salton Sea.

**California 4.4 Plan.** The schedule of priorities and apportionments among California users of Colorado River water, which is shown Table 4-1, indicates that if the holders of Priorities 1 through 4 diverted their total entitlement (a total of 4.4 million af/yr), then California's nonsurplus allocation (also 4.4 million af/yr) would be exhausted, and no further water would be available to holders of lower priorities, including the holder of Priority 5, whose use is on the southern California coastal plain.

For many years, California has been diverting approximately 5.2 million af/yr, which was possible because Nevada and Arizona were not using their total apportionments and because surplus water has been available. Arizona and Nevada are now approaching the diversion of their full apportionments, and the future availability of surplus water is uncertain. Thus, there is a serious risk of a water shortage to California as a result of California's diversions declining from 5.2 to 4.4-million af/yr. The Colorado River Board of California, the agency comprised of California Colorado River water right holders, is preparing a framework plan called the "California 4.4 Plan," which is designed to bring California water use within the state's 4.4 million-AF apportionment. The California 4.4 Plan includes the Quantification Settlement, which provides for the satisfaction of miscellaneous and Indian present perfected right entitlements within California's 4.4 million-AF apportionment. The proposed conservation and transfer by IID of up to 300,000 af/yr for a substantial time period is a key component of the proposed Plan. By conserving water used in the IID area and transferring it for use to more urban areas, which previously depended on the availability of surplus water above 4.4 million af/yr, California is able to more easily live within its legal allocation.

**Quantification Settlement.** On October 15, 1999, the negotiating teams for IID, CVWD, and MWD executed a document titled “Key Terms for Quantification Settlement Among the State of California, IID, CVWD, and MWD” (Key Terms), which sets forth the key material terms of a proposed settlement relating to use of Colorado River water. The Key Terms will be used as the basis for drafting the legal documents that will set forth all of the definitive terms and conditions of the Quantification Settlement. The parties currently anticipate that the complete legal documents will not be available until April 2000.

Based upon the Key Terms, the settlement, to which the United States is not a party if written in terms of state law, would provide for, among other things: (1) IID’s voluntary commitment to limit its annual Priority 3 water diversions to 3.1 million AF (a commitment that is also included in the proposed Project); (2) the transfer of 130,000 to 200,000 af/yr of the water conserved by IID as part of the proposed Project to SDCWA; (3) the transfer of up to 100,000 af/yr of the water conserved by IID, as part of the proposed Project, to CVWD and/or MWD; and (4) various other transfers and allocations of Colorado River water among other right holders. The Quantification Settlement will be contingent upon the Secretary of the Interior’s contractual agreement under federal law to deliver Colorado River water in accordance with the terms of the settlement.

As the terms of the Quantification Settlement become more defined, the Lead Agencies for the proposed Project will coordinate with the parties to the proposed Quantification Settlement in order to ensure consistent and comprehensive environmental review of both projects, including related and cumulative impacts.

**All American and Coachella Canal Lining Projects.** The All American and Coachella Canal Lining Projects are separate projects that are not included in the proposed Project but are components of the overall water delivery network. An EIR/EIS has been prepared for the All American Canal Lining Project by Reclamation. A separate EIR/EIS is also being prepared for the Coachella Canal Lining Project. Environmental impacts of both canal lining projects, and any mitigation measures required, will be fully evaluated in the respective joint environmental documents.

The potential effects of the proposed Project on the operation of the All American and Coachella Canals will be addressed in the Draft EIR/EIS.

**Coachella Valley Resources.** Impacts of the proposed Project to the resources of the Coachella Valley will be addressed at a programmatic level within the Draft EIR/EIS. Project-level impacts of the proposed Project will be addressed separately in an EIR being prepared by CVWD.

#### 4.2.6 Alternatives to the Proposed Project

Several comments received during the scoping process suggested providing SDCWA with water supplies from sources other than the Imperial Valley. Suggested alternatives to the proposed Project received during the scoping process include providing SDCWA with desalinated ocean water, water supplies from central California, or through the implementation of a water conservation program within San Diego County.

As set forth in the IID/SDCWA Water Conservation and Transfer EIR/EIS Public Participation Plan, which is available on the Project web site (<http://www.is.ch2m.com.iidweb>), the next step in the EIR/EIS process is to identify a

reasonable range of alternatives to the proposed Project. The Draft EIR/EIS will assess and compare the environmental impacts of these alternatives, as well as those of the proposed Project. Comments received during the public scoping process relating to alternatives, such as comments on various conservation methods/programs and alternative water supplies for San Diego, will be considered during the alternatives development process. The public will be kept informed as alternatives are identified and evaluated. An Alternatives Report will be prepared that summarizes the process, meetings, and methodology used to arrive at the final set of alternatives that will be evaluated in the EIR/EIS. At least one public meeting will be conducted to review the Alternatives Report.

### **4.3 Issues not to be Considered in the Draft EIR/EIS**

A small number of comments during the scoping process raised issues that have been determined to fall outside the proposed scope of the Draft EIR/EIS. These include: issues that do not identify an “environmental impact” associated with the proposed Project; issues that identify a potential environmental impact, but the Lead Agencies have determined that it is not “potentially significant;” issues regarding a separate, unrelated project; and comments that requested general information. These issues, and the explanations of why they are outside the scope of the proposed Project, are presented in Appendix K.